

**ST. GEORGE CITY COUNCIL MINUTES
WORK MEETING
OCTOBER 8, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
Deputy City Attorney Paula Houston
City Recorder Christina Fernandez**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Police Chief Stratton and the invocation was offered by Chaplain Luigi Perischetti.

Mayor Pike mentioned that approximately 10,700 attendees will be in town for the Huntsman World Senior Games. Utah Speaker of the House Greg Hughes was in town last night and spoke at the Desert Garden grand opening. Additionally, he mentioned that there is a regional pickleball tournament taking place at the Fields at Little Valley. Leadership Dixie had a mock Council meeting this afternoon in the Council Chambers.

PRESENTATION FROM GEORGE STREETFEST ON MAIN REPRESENTATIVES:

City Manager Gary Esplin stated that staff received a request from the George Streetfest organizers to provide an update to the Council.

Mayor Pike mentioned that all involved have worked hard to make this event be successful.

Councilmember Hughes arrived.

Melynda Thorpe stated that it is exciting to see that 5,000 people attended this event every month. She showed photos from the Streetfest events and stated that the Convention and Visitors Bureau has agreed to sponsor them through 2016. They are requesting the City to continue with their sponsorship through 2016 as well. Ms. Thorpe explained the handout provided outlining items such as the purpose and scope of the event, target audience, sponsorship program, etc. She then showed a Streetfest video recap on the St. George News website. The Streetfest in November will take place after dark.

Amy Thorpe explained that the Jazz Garden plans to continue as it consistently has had quite a crowd; their average attendance is approximately 420. Their anchor band is West Coast Jazz, Zion Brewing Company is a sponsor for the beer garden and Iron Gate Winery is going to join. Additionally, local restaurants have stepped up and served food. She thanked the Mayor and Council for their support.

Melynda introduced Karen Wright, their new Event Operations Manager. She then outlined their request of the City as follows:

Continuing:

- Contribute \$2,000 per month November 2015 – December 2016
- Professional live entertainment, sound \$1,600
- Print/graphic design \$400
- Block off Main Street from St. George Boulevard to Tabernacle and from Tabernacle to 100 East
- Provide event parking signage
- Provide quality stage with lighting
- Provide fire barrels in cold months with firefighters to supervise
- Allow for a one-time 2016 \$500 alcohol permit fee
- Provide promotion on the City website and digital billboard
- One SunTran side panel transit ad
- One advertorial per issue of Inside St. George

Additional:

- Street closure one hour earlier (2 p.m.) to allow for additional needed setup time
- Install adequate power/lighting to Tabernacle Street to support DJ
- Contribute \$300 currently being paid to outsource sound, event organizers will sub contract and manage
- Electric Theater – Art & Vino 6-10 p.m., 10-mindight movie

Support Services Director Marc Mortensen agrees that there may be better options if the sound is outsourced.

Nikki Richards stated that the downtown business owners feel this event is very exciting. One in particular was able to keep their doors open because of the Streetfest.

Melynda explained that she, Amy and their children clean up with youth groups who are looking for volunteer hours.

Ed Baca, citizen, asked about the second venue for alcohol; he asked what would be served.

Melynda explained that they prefer wine only. Their goal is to lessen the impact on Ancestor Square. It is near the youth area.

Mayor Pike noted that staff will have to look at the request regarding the Electric Theater since it is City property.

City Manager Gary Esplin stated that this has been a great event. He explained that the costs to the City; there is no money in the current budget to continue with sponsoring. Tonight's request will cost approximately \$3,600 a month. He does not see closing the streets earlier will be a problem as long as the businesses agree. Installing power and lighting on Tabernacle would be a good to accommodate all events held in that area, staff would have to determine the cost. Although alcohol may be allowed on City property, only one request has been approved. Staff is looking at costs for every event being held in the City, not just this one.

Mayor Pike explained this is not included in the budget; therefore, a budget opening would have to be done. Staff does not have an answer tonight regarding the power on Tabernacle and they will have to look at allowing wine at arts venues.

Deputy City Attorney Paula Houston explained that whoever is serving the alcohol would be required to have a single event alcohol license from the City and State.

Councilmember Almquist commented that downtown businesses have to flourish as that area is important. He sees the value in doing a budget opening.

Councilmember Arial commented that the success of the event warrants City support.

The consensus of the Council is to proceed for at least the next two months and to find a way to cover the costs for the requested sponsorship.

City Manager Gary Esplin noted that taking staff away from their regular jobs is a critical discussion. Staff will have to set a cost for staff to work special events.

Development Office Project Manager Laura Woolsey stated that the request for a local consent will need to be added to the next agenda.

Mayor Pike suggested the Council consider the entire 14 months next Thursday, for the existing location.

Melynda thanked the Mayor and Council for being available for the events. This community and event mean a lot to her. If the City funds the event, she will ask the Downtown Merchants Group to sign a 5-year management contract.

DISCUSSION REGARDING A SPECIAL EVENT ORDINANCE:

Development Office Project Manager Laura Woolsey provided a copy of the proposed ordinance.

City Manager Gary Esplin stated that the Council previously discussed a possible special event ordinance. Since the special event permitting process will go through Ms. Woolsey, he asked her to review the ordinance. In the previous work meeting, the Council discussed the basic structure. He explained that fees in the ordinance are established so that the City can be compensated for the process; the Council has the right to waive the fees.

Deputy City Attorney Paula Houston explained that she, City Attorney Shawn Guzman and Ms. Woolsey worked on the proposed ordinance, leaving flexibility for approval by the City Manager. She reminded the Council that this is a draft ordinance and will be collected after tonight's discussion. She then read the proposed purpose statement for Title 3, Chapter 10 of city code. This ordinance is designed to keep things running smoothly, to keep from infringing on neighbors. She then read the definition of a special event, which outlines the different categories of a special event. If a business would like to use their facility for something other than their permitted use, they would be required to obtain a separate business license.

An example was given of an auto center holding a dance; the Council sees this restriction as a problem.

Councilmembers Bowcutt and Randall commented that they do not know why special events have to go to City Council for approval.

Deputy City Attorney Paula Houston explained that the proposed ordinance is written so that the special event employee/staff works through the application and goes to the City Manager for approval. If the City Manager wants to give the special event employee permission to approve, he can do so, naming that employee as a designee.

City Manager Gary Esplin stated that the proposed ordinance includes an appeals process. An event would go to City Council for approval when an application is not approved and the applicant chooses to appeal. Additionally, the proposed ordinance does not allow for fee waivers unless they want to appeal to the City Council.

Deputy City Attorney Paula Houston added that the proposed ordinance also includes a recovery fee for City services and staff.

Councilmember Bowcutt commented that most of what the Council approved is based upon staff's recommendations. He believes staff should have the authority to approve the event applications. If the applicant wishes to appeal, then it can be before Council for approval.

City Manager Gary Esplin explained when a 501(c)3 organization is granted a fee waiver, that is technically a donation to them, which triggers other issues. This proposal will hinder some event organizers as they may not have anticipated the fees. He would rather keep the application fee low so that the City can recover its cost for services and staff.

Councilmember Almquist suggested that item E. of the Special Event definition be changed to read "Exclusive City events are not special events for the purposes of this chapter".

Deputy City Attorney Paula Houston explained that the proposed ordinance outlines insurance requirements and excludes other government facilities from needing a permit. Additionally, it outlines grounds for denial and appeals process. Per the proposed ordinance, a special event application shall be submitted at least 45 calendar days before the event is scheduled and the event shall not be advertised until City approval is granted and a special event is issued. She is concerned that by the time they receive the permit, they may not have enough time to advertise their event.

Mayor Pike stated that he believes it should be 30 days. Even if an application is submitted less than the required time frame, staff will do everything it can to help the applicant with the process. Applicants should be warned that the process can take 60 days.

City Manager Gary Esplin commented that he is a bit worried that applications will come in less than 30 days in advance. If the application meets all of the requirements, the process can take less time.

Ms. Woolsey explained that staff is doing their best to accommodate event planners; however, she would like the language to remain in the proposed ordinance.

Mayor Pike suggested the language read "applications submitted less than 45 calendar days prior to the scheduled event may not be accepted".

A discussion took place regarding the time frame for submitting an application.

Councilmember Almquist suggested adding language stating an appeal may add considerable time.

Deputy City Attorney Paula Houston advised that generally that type of language should be added to the website and application rather than in the code.

Councilmember Hughes suggested leaving in the language requiring an application be submitted 45 days prior to an event and changing the language to read "applications submitted less than 30 calendar days prior to the scheduled event may not be approved".

City Manager Gary Esplin stated that should also be put that in a policy rather than in the ordinance. Staff will make the suggested changes and bring it back for approval next Thursday.

Councilmember Almquist also suggested that language be added to explain that some events may be approved quicker than others.

City Manager Gary Esplin stated that first time events will have to go to City Council for approval. Recurring events will not have to unless there are changes from previous events.

Deputy City Attorney Paula Houston advised that she will spell that out in the ordinance.

The consensus of the Council is to require 45 days for new events and repeating events that have changes.

A discussion took place regarding proposed fees; a resolution will have to be passed.

Councilmember Bowcutt asked about the required insurance coverage.

City Manager Gary Esplin commented that there needs to be a discussion with City Attorney Shawn Guzman regarding insurance requirements.

ADJOURN:

MOTION: A motion was made by Councilmember Bowcutt to adjourn.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Bowcutt -aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.